

11-18-05

JFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

10/781,577

Filing Date

February 18, 2004

First Named Inventor

Bytnar

Art Unit

1755

Examiner Name

David M. Brunzman

Attorney Docket Number

040051

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD; Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD☐

After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):

Postcard

Certificate of Mailing - Express Mail

Remarks

Please mark postcard as received and return to our attention.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Buchanan Ingersoll PC

Signature

Printed name

Duane A. Stewart III

Date

November 17, 2005

Reg. No.

54,468

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

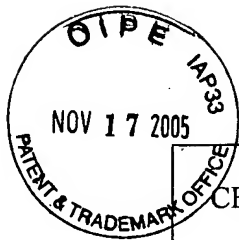
Signature

Typed or printed name

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 - SEPARATE PAPER		ATTORNEY'S DOCKET NO.  040051
IN RE APPLICATION OF:  Bytnar et al.		
Application Serial No.:  10/781,577		Filing Date:  February 18, 2004
Title:  Methods and Compositions for Dust and Erosion Control		
Confirmation No.  1755		Examiner:  David M. Brunsman
<p>Express Mail mailing label number: EV 369816366 US Date of Deposit: November 17, 2005</p> <p>I hereby certify that this paper or fee is being deposited with the  United States Postal Service "Express Mail Post Office to Addressee"  service under 37 CFR 1.10 on the date indicated above and is addressed  to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450,  Alexandria, VA 22313-1450.</p> <p><u>Maria N. Dupain</u> (Typed or printed name of person mailing paper or fee)</p> <p><u>Maria N. Dupain</u> (Signature of person mailing paper or fee)</p>		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Bytnar, et al.	Attorney Docket:	040051
Confirmation No.	3047	Examiner:	Brunsman, David M.
Art Unit:	1755	Filed:	February 18, 2004
Application No.:	10/781,577		
Title:	Methods and Compositions for Dust and Erosion Control		

**RESPONSE AFTER SECOND NON-FINAL OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Response is submitted in reply to the second Non-Final Office Action, mailed August 17, 2005, and having a shortened statutory period for response of November 17, 2005. Applicants respectfully request that the Examiner enter the enclosed amendments and allow the claims that remain pending following entry of the amendments. The Office Action's rejections have been carefully considered and in view of the following remarks and amendments, reconsideration and allowance of all pending claims is courteously requested.

**Amendments to the claims** begin on page 3 in the **Listing of Claims**.

**Remarks** begin on page 6 of this Response.

**Authorization** begins on page 10 of this Response.